

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

FAY S. GUNDLACH,

Plaintiff,

v.

FOOD LION LLC,

Defendant.

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Civil Action No. 05-491-KAJ

**STIPULATED ORDER OF DISMISSAL**

IT IS HEREBY STIPULATED AND AGREED by and among the parties, through their respective counsel, that the above-captioned action be and hereby is dismissed pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure. Each party shall bear its own costs and attorneys' fees.

BAILEY & ASSOCIATES P.A.

CONNOLLY BOVE LODGE  
& HUTZ LLP

/s/ James F. Bailey, Jr.

James F. Bailey, Jr. (I.D. #336)  
3 Mill Road, Suite 306A  
Wilmington, DE 19806  
(302) 658-5686  
*Attorneys for Food Lion LLC.*

/s/ Patricia S. Rogowski

Paul E. Crawford (I.D. #493)  
Patricia S. Rogowski (I.D. #2632)  
P.O. Box 2207  
1007 N. Orange Street  
Wilmington, DE 19899  
(302) 658-9141  
*Attorneys for Fay S. Gundlach*

Date: September 26, 2006

**OF COUNSEL:**

Mark A. Smith  
PRIBANIC & PRIBANIC  
1735 Lincoln Way  
White Oak, PA 15131  
(412) 672-5444

U.S. District Court  
Southern District of New York  
New York, New York

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
U.S. District Court Judge